

**WEST VIRGINIA DIVISION OF ENVIRONMENTAL PROTECTION  
OFFICE OF AIR QUALITY**

**FACT SHEET  
FOR PROPOSED PERMITTING ACTION  
UNDER 45 C.S.R. 30 (TITLE V-CLEAN AIR ACT)**

R30-03300018-1996

**APPLICANT:**

03300018  
Consolidation Coal Company  
Robinson Run Preparation Plant  
PO Box 100  
Osage, WV 26543

**FACILITY LOCATION:**

Shinnston, Harrison County  
UTM Coordinates are ZONE: 17 EASTING:554.82 km NORTHING:4361.54 km

**FACILITY DESCRIPTION:**

Consolidation Coal Company's Robinson Run facility operates an 1,800 tons per hour coal preparation plant. The facility has the potential to operate seven (7) days per week, twenty-four (24) hours per day and fifty-two (52) weeks per year.

**Revision pursuant to R13-2306: After-the-fact modifications that occurred in 1981, 1986, and 1994 at the 1,800 TPH Robinson Run Coal Preparation Plant.**

**Revision pursuant to R13-2306A: Modification of a coal preparation plant by the addition of a new clean coal blending stockpile (054) and an associated feeder (056) and conveyer belt (058).**

**EMISSION UNIT AND CONTROL DEVICE IDENTIFICATION:**

The following table provides a list of all equipment and air emission sources which are authorized to operate at the subject facility, but which have no applicable requirements. Note that additional equipment (those subject to an applicable requirement) are listed in the permit and are not contained below.

Source ID	Emission Point ID	Equipment Description	Design Capacity	Year Installed
047	047	Rock Dust Bin 1	N/A	1968
049	049	Sand Silo 1	N/A	1968

051A	051A	No. 2 Diesel Fuel Storage Tank 1	8,000 Gallon	N/A
051B	051B	No. 2 Diesel Fuel Storage Tank 2	5,000 Gallon	N/A
051C	051C	Froth Flotation Agent Storage Tank 1	3,000 Gallon	N/A
051D	051D	Anionic Flocculant Storage Tank	1,000 Gallon	N/A
051E	051E	Cationic Flocculant Storage Tank 1	500 Gallon	N/A
051F	051F	Cationic Flocculant Storage Tank 2	500 Gallon	N/A
051G	051G	Lubricating Oil Storage Tank 1	1,000 Gallon	N/A
051H	051H	Hydraulic Oil Storage Tank 1	1,000 Gallon	N/A
010A	P001	Vacuum Filtration Unit 1	N/A	N/A
010B	010B	Froth Flotation Unit 1 (Prep Plant)	N/A	N/A
050	050	Thickener 1	N/A	N/A
020A	020A	Anti-freeze Spray	N/A	N/A

### **INSIGNIFICANT ACTIVITIES:**

The following is a list of all insignificant emission units or activities which may be operated at this facility: C.S.R. § 45-30-3.2.d

1. Air compressors and pneumatically operated equipment, including hand tools.
2. Air contaminant detectors or recorders, combustion controllers or shutoffs.
3. Any consumer product used in the same manner as in normal consumer use, provided the use results in a duration and frequency of exposure which are not greater than those experienced by consumers, and which may include, but not be limited to, personal use items; janitorial cleaning supplies, office supplies and supplies to maintain copying equipment.
4. Bathroom/toilet vent emissions.
5. Batteries and battery charging stations, except at battery manufacturing plants.
6. Bench-scale laboratory equipment used for physical or chemical analysis, but not lab fume hoods or vents. Many lab fume hoods or vents might qualify for treatment as insignificant (depending on the applicable SIP) or be grouped together for purposes of description.
7. Brazing, soldering or welding equipment used as an auxiliary to the principal equipment at the source.
8. Combustion emissions from propulsion of mobile sources, except for vessel emissions from Outer Continental Shelf sources.

9. Combustion units designed and used exclusively for comfort heating that used liquid petroleum gas or natural gas as fuel.
10. Comfort air conditioning or ventilation systems not used to remove air contaminants generated by or released from specific units of equipment.
11. Equipment on the premises of industrial and manufacturing operations used solely for the purpose of preparing food for human consumption.
12. Fire suppression systems.
13. Firefighting equipment and the equipment used to train firefighters.
14. Flares used solely to indicate danger to the public.
15. Fugitive emission related to movement of passenger vehicle provided the emissions are not counted for applicability purposes and any required fugitive dust control plan or its equivalent is submitted.
16. Hand-held equipment for buffing, polishing, cutting, drilling, sawing, grinding, turning or machining wood, metal or plastic.
17. Indoor or outdoor kerosene heaters.
18. Internal combustion engines used for landscaping purposes.
19. Laundry activities, except for dry-cleaning and steam boilers.
20. Natural gas pressure regulator vents, excluding venting at oil and gas production facilities.
21. Plant maintenance and upkeep activities (e.g., grounds-keeping, general repairs, cleaning, painting, welding, plumbing, re-tarring roofs, installing insulation, and paving parking lots) provided these activities are not conducted as part of a manufacturing process, are not related to the source's primary business activity, and not otherwise triggering a permit modification. (Cleaning and painting activities qualify if they are not subject to VOC or HAP control requirements. Asphalt batch plant owners/operators must get a permit if otherwise requested.)
22. Process water filtration systems and demineralizers.
23. Repair or maintenance shop activities not related to the source's primary business activity, not including emissions from surface coating or de-greasing (solvent metal cleaning) activities, and not otherwise triggering a permit modification.
24. Routine calibration and maintenance of laboratory equipment or other analytical instruments.

25. Space heaters operating by direct heat transfer.
26. Steam cleaning operations.
27. Storage tanks, reservoirs, and pumping and handling equipment of any size containing soaps, vegetable oil, grease, animal fat, and nonvolatile aqueous salt solutions, provided appropriate lids and covers are utilized.
28. Storage tanks, vessels, and containers holding or storing liquid substances that will not emit any VOC or HAP. Exemptions for storage tanks containing petroleum liquids or other volatile organic liquids should be based on size limits such as storage tank capacity and vapor pressure of liquids stored and are not appropriate for this list.
29. Vents from continuous emissions monitors and other analyzers.

#### **EMISSIONS SUMMARY:**

PLANTWIDE EMISSIONS SUMMARY [TONS PER YEAR]		
CRITERIA POLLUTANTS	POTENTIAL EMISSIONS	1997 ACTUAL EMISSIONS
Particulate Matter (PM)	259.7	82.4
Particulate Matter (PM <sub>10</sub> )	125.8	40.9
Volatile Organic Compounds (VOC)	37.9	18.5

#### **TITLE V PROGRAM APPLICABILITY BASIS:**

This facility has the potential to emit 125.8 tons per year of PM<sub>10</sub>. Due to this facility's potential to emit over 100 tons per year, Consolidation Coal Company is required to have an operating permit pursuant to Title V of the Federal Clean Air Act as amended and 45 C.S.R. 30.

#### **LEGAL AND FACTUAL BASIS FOR DRAFT PERMIT CONDITIONS:**

The State and Federally-enforceable conditions of the Title V Operating Permits are based upon the requirements of the State of West Virginia Operating Permit Regulations for the purposes of Title V of the Federal Clean Air Act (45 C.S.R. 30), and underlying applicable requirements in other state and federal rules. Applicable requirement means all of the following as they apply to emission units in a Title V source:

- a. Any standard or other requirement provided for in the State Implementation Plan approved by the United States Environmental Protection Agency (USEPA) or

promulgated by USEPA through rulemaking under Title I of the Clean Air Act that implements the relevant requirements of the Act, including any revisions to that State Implementation Plan;

- b. Any term or condition of any preconstruction permits issued pursuant to regulations approved or promulgated through rulemaking under Title I, including parts C and D, of the Clean Air Act, including any permits issued under 45 C.S.R. 13, 45 C.S.R. 14, 45 C.S.R. 15, and 45 C.S.R. 19;
- c. Any standard or other requirement under §111 of the Clean Air Act, including §111(d);
- d. Any standard or other requirements under §112 of the Clean Air Act, including any requirement concerning accident prevention under §112(r)(7) of the Clean Air Act, but not including the contents of any risk management plan required under §112(r) of the Clean Air Act;
- e. Any standard or other requirement of the acid deposition control program under Title IV of the Clean Air Act or the regulations promulgated thereunder;
- f. Any requirements established pursuant to §504(b) or §114(a)(3) of the Clean Air Act;
- g. Any standard or other requirement governing solid waste incineration under §129 of the Clean Air Act;
- h. Any standard or other requirement for consumer and commercial products under §183(c) of the Clean Air Act;
- i. Any standard or other requirement for tank vessels under §183(f) of the Clean Air Act;
- j. Any standard or other requirement of the regulations promulgated to protect stratospheric ozone under Title VI of the Clean Air Act, unless the Director determines that such requirements need not be contained in a Title V permit pursuant to an exemption by USEPA;
- k. Any national ambient air quality standard or increment or visibility requirement under part C of Title I of the Clean Air Act, but only as it would apply to temporary sources permitted pursuant to §504(e) of the Clean Air Act;
- l. Any emissions cap and related requirements established for the source by agreement with the Chief and USEPA or otherwise applicable under the rules implemented by the Director; and
- m. Any requirement imposed pursuant to the provisions of 45 C.S.R. 27 or any other State-only requirement for State enforceable purposes only.

Each State and Federally-enforceable condition of the draft Title V Operating Permit references the specific relevant requirements of 45 C.S.R. 30 or the applicable requirement upon which it is based. Any condition of the draft Title V permit that is enforceable by the state but is not federally-enforceable is identified in the draft Title V permit as such.

This facility has been found to be subject to the requirement set forth in items “a”, “b”, and “c” above, specifically including the following applicable regulations:

<b>Federal and State:</b>	45 C.S.R. 6 - Open burning prohibited 45 C.S.R. 11 - Standby plans for emergency episodes <b>45 C.S.R. 13* - <i>Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permits, General Permits, and Procedures for Evaluation</i></b> WV Code §22-5-4(14) - The Chief can request any pertinent information such as annual emission inventory reporting 45 C.S.R. 30 - Operating permit requirement 40 C.F.R. 61 - Asbestos inspection and removal 45 C.S.R. 5 - Control of particulate matter from coal preparation plants 40 C.F.R. 60 - Requirements for coal preparation plants
<b>State Only:</b>	45 C.S.R. 4 - No objectionable odors 45 C.S.R. 1 - Prevent and control air pollution from coal refuse

- \* **Upon the issuance of a Title V permit, the General Requirement in some Regulation 13 permits to notify the Chief in the event the permittee should deem it necessary to suspend operations, in whole or in part, for a period in excess of sixty (60) consecutive calendar days will be amended by deleting such condition from those Regulation 13 permit(s) as redundant and unnecessary. The Office of Air Quality will continue to require such information in emission inventory submittals.**

**Upon the issuance of a Title V permit, the General Requirement found in some Regulation 13 permits stating that such permits are non-transferable will be amended to read “This permit is transferable in accordance with the requirements outlined in Section 8.1 of 45 C.S.R. 13. This amendment is made pursuant to the authority to transfer permits stated in Section 8.1 of 45 C.S.R.13, effective date April 27, 1994.”**

**All other conditions from this facility's Regulation 13 permit(s) governing the source's operation and compliance have been incorporated into this draft Title V permit in accordance with Attachment A. Conditions from this facility's Regulation 13 permit(s) governing construction related specifications and timing requirements will not be included in the Title V operating permit but will remain independently enforceable under the applicable Regulation 13 permit(s).**

**NON-APPLICABILITY DETERMINATIONS:**

None

**REQUEST FOR VARIANCES OR ALTERNATIVES:**

None

**TECHNICAL SUPPORT INFORMATION****Stockpiles, haulroads, and vehicular activity exempted from opacity periodic monitoring.**

Under 45CSR5, all coal preparation plants and coal handling operations are required to be equipped with a fugitive dust control system as such the opacity standard applies facility-wide; however, as a practical matter emissions from stockpile wind erosion, haulroads, and vehicular activity are exempted from the requirement to periodically monitor opacity because of the nature of the emissions occurring over such a large area. This exemption does not apply to load-in or loadout from the stockpiles. The facility does have the duty to minimize dust generation and atmospheric entrainment from stockpiles, haulroads, and vehicular activity.

**COMMENT PERIOD:**

Beginning Date: ~~11/30/98~~

Ending Date: ~~12/30/98~~

All written comments should be addressed to the following individual and office:

Lisa A. McClung  
Title V Permit Writer  
WV Division of Environmental Protection  
Office of Air Quality  
1558 Washington Street, East  
Charleston, WV 25311-2599

**PROCEDURE FOR REQUESTING PUBLIC HEARING:**

During the public comment period any interested person may submit written comments on the draft permit and may request a public hearing, if no public hearing has already been scheduled. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing. The Chief shall grant such a request for a hearing if he concludes that a public hearing is appropriate. Any public hearing shall be held in the general area in which the facility is located.

**POINT OF CONTACT:**

Lisa A. McClung  
Title V Work Group  
WV Division of Environmental Protection  
Office of Air Quality  
1558 Washington Street, East  
Charleston, WV 25311-2559  
Phone: (304) 558-0885 Fax: (304) 558-1222

## Attachment A

The following table is a comparison of Regulation 13 permit language and the corresponding Title V permit language:

Reg 13 General Requirement	Title V General Condition
<p>In accordance with 45CSR30 - “Requirements for Operating Permits,” enclosed with this permit is a Certified Emissions Statement registration form. Please complete this form and return it to the West Virginia Division of Environmental Protection, Office of Air Quality (OAQ) along with the correct operating fee within thirty (30) days. If you have already submitted a Certified Emissions Statement to the OAQ please disregard this requirement.</p> <p style="text-align: center;">- or -</p> <p>In accordance with 45CSR30 - “Operating Permit Program”, the permittee shall not operate nor cause to operate the permitted facility or other associated facilities on the same or contiguous sites comprising the plant without first filing a Certified Emissions Statement (CES) and paying the appropriate fee. Such Certified Emissions Statement (CES) shall be filed and the appropriate fee paid annually. A receipt for the appropriate fee shall be maintained on the premises for which the receipt has been issued, and shall be made immediately available for inspection by the Chief or his/her duly authorized representative.</p>	<p>Included in Title V - Section II.E.</p> <p><b>CERTIFIED EMISSIONS STATEMENT AND FEES</b></p> <p>The permittee shall file a certified annual emission statement and pay fees on July 1 of each year in accordance with C.S.R. § 45-30-8. A receipt for the appropriate fee shall be maintained on the premises for which the receipt has been issued, and shall be made immediately available for inspection by the Chief or his/her duly authorized representative.</p>
<p>Possession of this permit does not relieve any person of the responsibility of complying with any and all applicable rules or regulations of the Commission or any other governmental agency.</p> <p style="text-align: center;">- or -</p> <p>Approval of this permit does not relieve the permittee herein of the responsibility to apply for and obtain all other permits, licenses, and/or approvals from other agencies; i.e., local, state, and federal, which may have jurisdiction over the construction and/or operation of the source(s) and/or facility herein permitted.</p>	<p>Included in Title V - Section II.A.12.</p> <p>This permit does not convey permission to treat, store, or dispose of any materials determined to be hazardous wastes as per 45 C.S.R. 25. Additionally, it does not relieve the permittee herein of the responsibility to apply for and obtain all other required permits, licenses, and/or approvals from the Office of Air Quality as well as other local, state, and federal agencies which may have jurisdiction over the construction and/or operation of the source(s) and/or facility herein permitted.</p>
<p>The provisions of this permit are severable and should any provision(s) be declared by a court of competent jurisdiction to be invalid or unenforceable, all other provisions shall remain in full force and effect.</p>	<p>Included in Title V - Section II.L. <b>SEVERABILITY</b></p> <p>The provisions of this permit are severable. If any provision of this permit, or the application of any provision of this permit to any circumstance is held invalid by a court of competent jurisdiction, the remaining permit terms and conditions or their application to other circumstances shall remain in full force and effect. C.S.R. § 45-30-5.1.e.</p>



Reg 13 General Requirement	Title V General Condition
<p>Violations of any of the conditions contained in this permit, or incorporated herein by reference, may subject the permittee to civil and/or criminal penalties for each violation and further action or remedies as provided by West Virginia Code 22-5-6 and 22-5-7.</p>	<p>Included in Title V - Section II.I.1.  The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the West Virginia Code §§ 22-5-1, <u>et seq.</u> and the Federal Clean Air Act and is grounds for enforcement action by the Director or USEPA; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.</p>

Reg 13 General Requirement	Title V General Condition
<p>At such reasonable time(s) as the Chief may designate, the permittee shall conduct or have conducted test(s) to determine compliance with the emission limitations established in the permit application and/or applicable regulations. Test(s) shall be conducted in such a manner as the Chief may specify or approve and shall be filed in a manner acceptable to the Chief. The Chief, or his duly authorized representative, may at his option witness or conduct such test. Should the Chief exercise his option to conduct such test(s), the operator shall provide all the necessary sampling connections and sampling ports to be located in such manner as the Chief may require, power for test equipment, and the required safety equipment such as scaffolding, railings, and ladders to comply with generally accepted good safety practices. For any tests to be conducted by the permittee, a test protocol shall be submitted to the OAQ by the permittee at least thirty (30) days prior to the test and shall be approved by the Chief. The Chief shall be notified at least fifteen (15) days in advance of the actual dates and times during which the test will be conducted.</p>	<p>Included in Title V - Section III.C.1.a.v.</p> <p>As per provisions set forth in Section III of this permit or as otherwise required by the Director, in accordance with the West Virginia Code, underlying regulations, permits and orders, the permittee shall conduct test(s) to determine compliance with the emission limitations set forth in this permit and/or established or set forth in underlying documents. The Director, or his duly authorized representative, may at his option witness or conduct such test(s). Should the Director exercise his option to conduct such test(s), the operator shall provide all the necessary sampling connections and sampling ports to be located in such manner as the Director may require, power for test equipment and the required safety equipment, such as scaffolding, railings and ladders, to comply with generally accepted good safety practices. Such tests shall be conducted in accordance with the methods and procedures set forth in Section III of this permit or as otherwise approved or specified by the Director in accordance with the following:</p> <ul style="list-style-type: none"> <li>(a) For emissions for which there are no applicable requirements within the permit, the director for cause may require testing or monitoring to determine emissions of air pollutants or emissions from sources.</li> <li>(b) The Director may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with 40 C.F.R. Parts 60, 61, and 63 in accordance with the Director's delegated authority and any established equivalency determination methods which are applicable. If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit will be revised in accordance with C.S.R § 45-30-6.4. or C.S.R. § 45-30-6.5. as applicable.</li> <li>(c) The Director may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with applicable requirements which do not involve federal delegation. In specifying or approving such alternative testing to the test methods, the Director, to the extent possible, shall utilize the same equivalency criteria as would be used in approving such changes under Section III.B.1.a.v.(b). If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit will be revised in accordance with C.S.R § 45-30-6.4. or C.S.R. § 45-30-6.5. as applicable.</li> </ul> <p>All periodic tests to determine mass emissions from or air pollutant concentrations in discharge stacks and such other tests as specified in Section III of this permit shall be conducted in accordance with an approved test protocol. Unless previously approved, such protocols shall be submitted to the Director in writing at least thirty (30) days prior to any testing and shall contain the information set forth by the Director. In addition, the permittee shall notify the Director at least fifteen (15) days prior to any testing so the Director may have the opportunity to observe such tests. This notification shall include the actual date and time during which the test will be conducted and, if appropriate, verification that the tests <u>will</u> fully conform to a referenced protocol previously approved by the Director. W.V. Code § 22-5-4(a)(15), C.S.R. §§ 45-5-10.1.-10.3. (Effective date May 1, 1995). (<i>Facility-Wide Applicability</i>). Compliance</p>

Reg 13 General Requirement	Title V General Condition
<p>This permit is transferable in accordance with the requirements outlined in Section 8.1 of 45CSR13.</p>	<p>Included in Title V - Section II.F.4. Permit Transfers. C.S.R. § 45-30-6.4.a.4.</p> <p>A change in ownership or operational control of the permitted source may utilize the procedures for administrative permit amendments if the following requirements are met:</p> <ul style="list-style-type: none"> <li>a. The Director determines no other changes in the permit are required.</li> <li>b. A written agreement containing the following information is submitted to the Director: <ul style="list-style-type: none"> <li>i. The specific date for transfer of permit responsibility;</li> <li>ii. Coverage; and</li> <li>iii. Liability between the current and the new permittee.</li> </ul> </li> <li>c. The permittee shall transfer any existing permits under 45 C.S.R. 13, 45 C.S.R. 14, and 45 C.S.R. 19 simultaneously in accordance with the requirements under the applicable rule.</li> </ul>
<p>On or before July 1st of each calendar year, the permittee herein shall prepare and submit an emission inventory for the previous calendar year, addressing the emissions from the facility and/or process(es) authorized herein, in accordance with the emissions inventory submittal requirements of the Office of Air Quality.</p>	<p>Included in Title V - Section III.C.2.a. - Specific Conditions The permittee is responsible for submitting, on an annual basis, an emission inventory in accordance with the Chief's request. W.V. Code § 22-5-4(a)(14). (effective date August 4, 1995). (<i>Facility-Wide Applicability</i>). Compliance with this streamlined limit assures compliance with the provisions of the SIP approved version of the same rule.</p>